

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

ADAM BROWN, on behalf of himself and  
all others similarly situated,

Plaintiff,

Case No. 1:23-cv-00374-DAE

v.

Hon. David A. Ezra

LEARFIELD COMMUNICATIONS,  
LLC, SIDEARM SPORTS, LLC,  
UNIVERSITY OF TEXAS AT AUSTIN, and  
THE UNIVERSITY OF TEXAS AT AUSTIN  
ATHLETICS,

Defendants.

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**AGREED MOTION TO SET BRIEFING SCHEDULE ON DEFENDANTS' 12(B)(6)  
MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT**

Plaintiff Adam Brown ("Plaintiff") and Defendants Learfield Communications, LLC and Sidearm Sports, LLC ("Defendants", with Plaintiff, the "Parties"), by and through their respective attorneys, hereby submit this agreed motion to set a briefing schedule on Defendants' forthcoming Rule 12(b)(6) Motion to Dismiss Plaintiff's Complaint. In support of this agreed motion, the Parties state:

1. Plaintiff filed an Amended Complaint on March 6, 2024. (Doc. 61.) Pursuant to Fed. R. Civ. P. 15(a)(3), Defendants' response to the Amended Complaint currently is due today, March 20, 2024.

2. Defendants intend to file a motion to dismiss the amended complaint. However, Defendants' counsel did not receive the CM/ECF notification of the filing of the Amended Complaint until March 18, 2024. Consequently, Defendants require additional time to prepare their motion to dismiss the Amended Complaint.

3. Plaintiff and Defendants have conferred and have agreed that Defendant may have a brief 14-day extension, to April 3, 2024, to file the motion to dismiss.

4. Based on the requested extended filing deadline and pursuant to the Local Rules, Plaintiff's response would be due April 17, 2024 and Defendants' reply would be due April 24, 2024.

5. Whereas the Parties have conferred and agree that the briefing schedule should be modestly extended to allow the Parties' sufficient time to address the anticipated arguments and to accommodate their counsels' respective scheduling conflicts with other cases, the Parties hereby move the Court for the following briefing schedule on Defendants' Motion:

- a. Defendants shall file their motion by April 3, 2024;
- b. Plaintiff shall respond to the Motion by May 8, 2024
- c. Defendants shall reply to the Motion by May 24, 2024.

6. No party will be prejudiced by this request. Additionally, no other case deadlines have been set by the Court, so this request does not impact any other case deadlines.

For the foregoing reasons, Plaintiff Adam Brown and Defendants Learfield Communications, LLC and Sidearm Sports, LLC respectfully request that the Court grant this agreed motion and order that Defendants' deadline to file their Motion to Dismiss be April 3, 2024, Plaintiff's deadline to respond to Defendants' Motion to Dismiss be May 8, 2024, and Defendants' deadline to reply in support of their Motion be May 24, 2024.

Dated: March 20, 2024

**Counsel for Plaintiff:**

/s/ Patrick Yarborough

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Respectfully submitted,

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